

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:20 CV 106 MR WCM

DYLAN WIMBERLY, *on behalf of his minor*
child, other N.A.W.,

Plaintiff,

v.

DOLLAR GENERAL CORPORATION and
DOLGENCORP, LLC

Defendants.

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ORDER

This matter is before the Court on a Motion to Stay or Extend Time to Conduct Rule 26 Conference (the “Motion to Stay,” Doc. 15) filed by Defendants. Plaintiff does not oppose the Motion.

By the Motion, Defendants request an Order staying or extending the time to conduct the Rule 26(f) conference. Defendants explain that they intend to file a third party complaint against “Cudlie Accessories LLC who supplied Defendants with the product at issue in this product liability action” and that once the third party defendant is served, a Rule 26(f) conference “can be conducted with all necessary parties and their counsel.” Doc. 15, p. 1.

The undersigned agrees that deferring the parties’ Rule 26(f) conference is reasonable under these circumstances but also finds that a deadline by

which Defendants must file their third-party complaint should be set in order to ensure that this case proceeds expeditiously.

IT IS THEREFORE ORDERED that the Motion to Stay or Extend Time to Conduct Rule 26 Conference (Doc. 15) is **GRANTED**, as follows:

1. Defendants are **DIRECTED** to file the third-party complaint referenced in the Motion on or before August 14, 2020.
2. The requirement that parties conduct an Initial Attorneys' Conference is **TEMPORARILY STAYED** pending filing of the third-party complaint and the joinder of issues as to the third-party defendant.

Signed: July 30, 2020



W. Carleton Metcalf
United States Magistrate Judge

